

RESOLUTION NO. 3848

**RESOLUTION ESTABLISHING INCENTIVES FOR EMPLOYEES
OF THE CITY OF KAUKAUNA
RESIDING WITHIN THE CITY OF KAUKAUNA**

WHEREAS, the City of Kaukauna Municipal Code, Section 1.50, did provide for residency requirements for employees of the City of Kaukauna; and,

WHEREAS, Wisconsin State Statutes Section 66.502 states that no local governmental unit may require, as a condition of employment, that any employee or prospective employee reside within any jurisdictional limit and that if a local governmental unit has a residency requirement that is in effect on July 2, 2013, the residency requirement does not apply and may not be enforced; and,

WHEREAS, Section 1.50 of the Kaukauna Municipal Code has been stricken from the Code in its entirety; and,

WHEREAS, it is desirous that employees of the City of Kaukauna reside within the City of Kaukauna to promote and enhance the community, employee community pride, community identity, and efficiency of operations; and,

WHEREAS, the matter having been brought before and heard by the Common Council of the City of Kaukauna at its regular meeting of October 1, 2013; and,

WHEREAS, the Common Council of the City of Kaukauna did by a unanimous vote as recorded in its official minutes take action approving a program of incentives for employees of the City of Kaukauna residing within the City of Kaukauna;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna, Wisconsin, that said council does hereby establish and implement an employee Residency Incentive Program to be effective as of January 1, 2014, as follows:

1. **QUALIFIED EMPLOYEES.** All non-represented employees of the City of Kaukauna, represented employees of the City of Kaukauna employed under a Collective Bargaining Agreement which provides for this Residency Incentive Program benefit, and the Mayor, Clerk/Treasurer, City Attorney, and Municipal Judge shall be Qualified Employees.

2. **ELIGIBILITY.** Qualified Employees who work more than one-thousand (1,000) hours per year who maintain their actual bona fide residence within the Corporate limits of the City of Kaukauna, and the Mayor, Clerk/Treasurer, City Attorney, and Municipal Judge may be eligible to receive the incentives as set forth under paragraph 3 herein:

a. A Qualified Employee residing within the Corporate limits of the City of Kaukauna as of January 1, 2014, shall be eligible upon implementation of this Residency Incentive Program.

b. A Qualified Employee shall become eligible under this Residency Incentive Program within the first full pay period after the employee establishes residency within the Corporate limits of the City of Kaukauna. Eligibility shall be upon the employment start date for a newly hired Qualified Employee who resides within the Corporate limits of the City of Kaukauna upon the employment start date.

c. Eligibility of an employee or elected official shall end with the last full pay period that the employee resides within the Corporate limits of the City of Kaukauna before establishing residency outside of Corporate limits of the City of Kaukauna.

2. INCENTIVES. Each eligible employee or elected official shall receive an incentive equivalent to a percentage of Wisconsin Retirement eligible wages as follows:

2014: From January 1, 2014, through December 31, 2014, the incentive shall be equivalent to 3% of the eligible employee's Wisconsin Retirement eligible wages.

2015: From January 1, 2015, through December 31, 2015, an amount equivalent to 1% of the eligible employee's Wisconsin Retirement eligible wages shall be added to the incentive so that the total the incentive shall be equivalent to 4% of the eligible employee's Wisconsin Retirement eligible wages.

2016: From January 1, 2016, through December 31, 2016, an additional amount equivalent to 1% of the eligible employee's Wisconsin Retirement eligible wages shall be added to the incentive so that the total the incentive shall be equivalent to 5% of the eligible employee's Wisconsin Retirement eligible wages.

2017: From January 1, 2017, through December 31, 2017, an additional amount equivalent to 1% of the eligible employee's Wisconsin Retirement eligible wages shall be added to the incentive so that the total the incentive shall be equivalent to 6% of the eligible employee's Wisconsin Retirement eligible wages.

Such incentive shall be provided as a bi-weekly contribution deposited into a 401 (a) Supplemental Retirement Plan for the employee, and shall be vested immediately upon deposit. All employer contributions shall be discretionary as authorized by the Common Council hereunder.

3. RESIDENCY DEFINED. The term "residence", as used in this Residency Incentive Program, shall be construed to mean the actual living quarters maintained by an employee. Neither voting in the City nor payment of taxes of any kind by employee, by itself, shall be deemed adequate to satisfy the requirements of this section, nor shall the provisions of this section be satisfied by the maintaining of a rented room or rooms by an employee solely for the purpose of establishing residency when it appears that the employee's residence is outside the City. Ownership of real property within the City when not coupled with the maintenance of actual living quarters in the City, as herein required, shall be deemed insufficient to meet the requirements of this section. Final determination of any residency question shall be at the discretion of, and shall be determined by, the Common Council.

4. ELIGIBILITY DETERMINATION. Department heads shall provide to the Human Resources Director a list of all eligible department employees within such department, and shall notify the Human Resources Director of any change of eligibility status for department employees.

a. Any dispute regarding eligibility of a department employee shall be referred to the department head for investigation and determination. Any dispute regarding eligibility of a department head shall be referred to the Mayor for investigation and determination. All referrals under this section shall be by action of the Common Council.

b. After completion of the investigation the department head or mayor shall present a recommendation to the Common Council regarding residency determination and eligibility for the employee. The Common Council shall make a final determination regarding any residency and eligibility question. All employer contributions under this Residency Incentive Program shall be discretionary as authorized by the Common Council.

5. This Residency Incentive Program shall be reviewed by staff after June, 2017, to determine its effectiveness, at which time staff shall provide recommendations to the Common Council regarding such effectiveness and recommendations regarding whether to extend, modify, or terminate the Residency Incentive Program after December 31, 2017.

Introduced and adopted this 5th day of November, 2013.

APPROVED: _____


Eugene J. Rosin, Mayor

ATTEST: _____

Susan J. Duda, Clerk/Treasurer

RESOLUTION NO. 3850

RESOLUTION IMPROVING WISCONSIN'S ECONOMY BY STATE AND LOCAL GOVERNMENTS WORKING TOGETHER

WHEREAS, Governor Walker and legislative leaders have made job creation and economic growth their top priority; and

WHEREAS, municipalities are the foundation of Wisconsin's economy and local leaders share the same goal of job creation and economic vitality; and

WHEREAS, municipalities are where most of Wisconsin lives, works, and becomes educated; and

WHEREAS, industry, manufacturing, and commerce occur almost exclusively in municipalities; and

WHEREAS, for the state to flourish, state and local leaders must work collaboratively; and

WHEREAS, a thriving state-local relationship is critical to the success of our state and should be invested in and nurtured.

NOW, THEREFORE, BE IT RESOLVED that the City of Kaukauna urges the Governor and the Legislature to work collaboratively with municipal leaders to accomplish the critical goals of job creation and economic growth.

BE IT FURTHER RESOLVED that the City of Kaukauna urges the Legislature and the Governor to enact the following three economic development bills:

- AB 147/SB 132, Increasing the Historic Rehabilitation Income and Franchise Tax Credit from 10% to 20%.
- AB 289/SB 252, Allowing Municipalities to Require Department of Revenue to Redetermine the Base Value of Certain Poorly Performing Tax Increment Finance Districts.
- AB 416, Allowing an Environmental Remediation Tax Increment District to Receive Tax Increments from a Donor Tax Increment District.

Introduced and adopted this 5th day of November, 2013.

APPROVED: _____


Eugene J. Rosin, Mayor

ATTEST: _____

Susan J. Duda, Clerk/Treasurer

RESOLUTION NO. 3851

RESOLUTION REPEALING RESOLUTION NO. 2721 REAFFIRMING RESIDENCY REQUIREMENTS FOR CITY EMPLOYEES, SETTING FORTH CRITERIA TO CONSIDER IN DETERMINING RESIDENCY, AND ESTABLISHING PROCEDURES TO FOLLOW IN ENFORCING RESIDENCY REQUIREMENTS

WHEREAS, Wisconsin State Statutes Section 66.502 states that no local governmental unit may require, as a condition of employment, that any employee or prospective employee reside within any jurisdictional limit and that if a local governmental unit has a residency requirement that is in effect on July 2, 2013, the residency requirement does not apply and may not be enforced; and,

WHEREAS, Section 1.50 of the Kaukauna Municipal Code does impose a residency requirement within certain jurisdictional limits; and,

WHEREAS, Resolution No. 2721, introduced and adopted by the Common Council of the City of Kaukauna on March 17, 1992, did reaffirm the residency requirements of Section 1.50 of the Municipal Code, and did further set forth criteria to be considered in determining residency and procedures to follow in enforcing residency requirements under Section 1.50; and,

WHEREAS, Resolution No. 2721 does not apply and may not be enforced pursuant to Wisconsin Statutes Section 66.502 (3) (b) and Section 1.50 of the Kaukauna Municipal Code does not apply and may not be enforced pursuant to Wisconsin Statutes Section 66.502 (3) (b);

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna that Resolution No. 2721 reaffirming residency requirements for City employees, setting forth criteria to consider in determining residency and establishing procedures to follow in enforcing residency requirements is hereby repealed and dissolved; and,

BE IT FURTHER RESOLVED by the Common Council of the City of Kaukauna that Section 1.50 of the Kaukauna Municipal Code shall be hereby stricken from the code in its entirety.

Introduced and adopted this 5th day of November, 2013.

APPROVED: 
Eugene J. Rosin, Mayor

ATTEST: _____
Susan J. Duda, Clerk/Treasurer

ORDINANCE NO. 1694

ORDINANCE REPEALING RESIDENCY REQUIREMENT FOR CITY EMPLOYEES


WHEREAS, Wisconsin State Statutes Section 66.502 states that no local governmental unit may require, as a condition of employment, that any employee or prospective employee reside within any jurisdictional limit and that if a local governmental unit has a residency requirement that is in effect on July 2, 2013, the residency requirement does not apply and may not be enforced; and,

WHEREAS, Section 1.50 of the Kaukauna Municipal Code does impose a residency requirement within certain jurisdictional limits: and

WHEREAS, Section 1.50 of the Kaukauna Municipal Code does not apply and may not be enforced pursuant to Wisconsin Statutes Section 66.502 (3) (b);

NOW, THEREFORE, it is ordained by the Common Council of the City of Kaukauna, that Section 1.50 of the Kaukauna Municipal Code be repealed and stricken from the municipal code in its entirety.

This ordinance shall be in full force and effect from and after its adoption and publication.

APPROVED: 
Eugene J. Rosin, Mayor

ATTEST: _____
Susan J. Duda, Clerk/Treasurer

Adopted: 11-5-13
Published: 11-13-13